CHRISTINE M. SANTORO

Public Reprimand No. 2012-12

Order (public reprimand) entered by the Board on June 1, 2012.

SUMMARY[1]

In March 2010, the respondent deposited $250 provided by a client for filing fees into her IOLTA account. Between March and May 2010, the respondent negligently misused the client's funds in the account. She replenished the account when a check was dishonored. The client later hired new counsel and the respondent turned over $250 to the new attorney.

In June 2010, bar counsel opened a complaint file against the respondent and sent her correspondence requesting information. The respondent failed to reply and bar counsel followed up with a second request. Bar counsel then spoke to the respondent, faxed the prior correspondence, and informed her she had an additional ten days to respond. The respondent did not reply. As a consequence, the respondent was administratively suspended by the Supreme Judicial Court for Suffolk County on October 7, 2010. The respondent was not reinstated within thirty days and was therefore required to provide an affidavit to the Office of Bar Counsel and the county court certifying her compliance with all provisions of S.J.C. Rule 4:01, § 17. The respondent failed to comply with the suspension order.

The respondent's conduct in misusing client funds violated Mass. R. Prof. C. 1.15(b)(1) and 8.4(h). The respondent's conduct in failing to safeguard client funds and in authorizing transactions from her IOLTA account that caused a negative balance in an individual client ledger violated Mass. R. Prof. C. 1.15(b) and (f)(1)(C). The respondent's conduct in intentionally failing without good cause to cooperate with bar counsel's investigation violated Mass. R. Prof. C. 8.1(b) and 8.4(g). The respondent's knowing failure to comply with the order of administrative suspension and the provisions of S.J.C. Rule 4:01, § 17, violated Mass. R. Prof. C. 1.4(a) and (b) and 3.4(c) and 8.4(d).

In mitigation, the respondent was going through a divorce and other serious personal problems that distracted her from her law practice and from attending to bar counsel's inquiries during the period of time at issue. She has now addressed these issues.

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[1] Compiled by the Board of Bar Overseers based on the record of proceedings before the board.

On December 29, 2011, bar counsel filed a petition for discipline. The respondent through counsel filed an answer on February 3, 2012. On May 1, 2012, bar counsel filed an amended petition and the parties filed a stipulation agreeing that the appropriate sanction was a public reprimand. On May 14, 2012, the Board of Bar Overseers voted to sanction the respondent by public reprimand.